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October 15, 2021

MEMO ENDORSED

VIA ECF

Honorable Judge Lewis A. Kaplan
United States District Court
Southern District of New York
200 Worth Street
New York, New York 10007

Re: Spencer Middleton v. Costco Wholesale Corporation
Docket No.: 19-cv-11392 LAK
Our File No.: 537-9443

Dear Honorable Judge Kaplan:

Our office represents defendant, COSTCO WHOLESALE CORPORATION ("Costco"), in connection with the above-referenced matter.

The parties are pleased to inform the Court that this matter has been settled. We respectfully request that all deadlines and Court appearances be held in abeyance pending execution of the settlement documents. We also kindly request that the parties be permitted 60 days to file a stipulation of dismissal so as to allow plaintiff time to negotiate and secure finalized lien amounts from Workers' Compensation.

Thank you for the opportunity to address the Court in this matter.

Respectfully submitted,

MEMO ENDORSEMENT

/s/ Ian E. Hannon

IEH:mfb

Ian E. Hannon (ih-1464)

⁶⁷⁰⁹³¹The case is dismissed with prejudice and without costs subject to right to reinstate by serving and filing a notice to that effect on or before, December 15, 2021, if the settlement is not executed by then.

SO ORDERED.

/s/

Hon. Lewis A. Kaplan, U.S.D.J.

DATED: October 15, 2021